

Tirelli Law Group, LLC

Westchester Financial Center
50 MAIN STREET, STE. 1265
WHITE PLAINS, NEW YORK 10606
PHONE (914)732-3222

Linda M. Tirelli*

*Admitted CT, USDCCT, SDNY, EDNY and SCOTUS

June 20, 2024

Hon. Elizabeth S. Stong
U.S. Bankruptcy Court, EDNY
Conrad B. Duberstein Courthouse
271-C Cadman Plaza East - Suite 1595
Brooklyn, NY 11201-1800

RE: In re 1380 Realty NY LLC Ch11 Case No. 24-40017(ess)
Status Report

Dear Honorable Judge Stong,

Please accept this letter as a status report on behalf of the Debtor.

At the case management conference held on May 30, 2024, the court suggested the attorneys confer on a briefing schedule. Mr. Rivera and I have since spoken and agree we need a briefing schedule. We also discussed mediation and as counsel to the Debtor I have to decline mediation, at least for the moment. Discovery is needed as there are a number of documents attached to Mr Rivera's pleadings which my client believe to be of questionable origin or perhaps actual forgeries. Documents at issue include certain operating agreements and transfers of shares of the Debtor by a person who was never a member of the Debtor 1830 Realty NY LLC. Other questionable Documents attached to Mr Rivera's motion include notary blocks dated prior to the signatures on the documents, a deed transferred by a party not on title. Mr Rivera's client in the bankruptcy court argue that Mr Kraut is not the sole member, yet they claim he signed a confession of judgment as the sole member. The Debtor postures that the loan was never funded, proof of funding should be easily obtained. The list goes on.

Mr Rivera and I did agree that we need a briefing schedule and perhaps we can come up with dates tonight or at tomorrow's conference. Meanwhile, given the present situation with Mr. Rivera representing the "Debtor" in state court and creditors in the bankruptcy court. As I am the only court approved counsel for the Debtor, I filed a motion objecting to Mr. Rivera representing my client in any court. The hearing is noticed for July 18th.

Thank you for your time and consideration. I remain

Very truly yours,
/s/ Linda M Tirelli, Esq.
Court Approved Counsel
For 1380 Realty NY LLC,
Debtor in Possession

Cc: Victor Rivera, Esq.
Nazar Khodorovsky, Esq.